



General Assembly

February Session, 2018

Raised Bill No. 269

LCO No. 1522



Referred to Committee on COMMERCE

Introduced by:
(CE)

***AN ACT CONCERNING THE ASSESSMENT OF CIVIL PENALTIES
AGAINST SMALL BUSINESSES BY THE DEPARTMENT OF ENERGY
AND ENVIRONMENTAL PROTECTION.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (*Effective October 1, 2018*) (a) For the purposes of
2 this section, "small business entity" means a corporation, association,
3 partnership, limited liability company or any other similar form of
4 business organization with fewer than two hundred fifty employees.
- 5 (b) (1) Notwithstanding any provision of the general statutes, the
6 Commissioner of Energy and Environmental Protection shall not
7 assess a civil penalty against any small business entity for a first
8 violation of any provision of the regulations adopted by the
9 commissioner if, not later than thirty days after the small business
10 entity receives written notice from the commissioner of such first
11 violation, such business entity (A) takes measures that ensure a
12 complete remedy of the condition that resulted in such violation
13 within a reasonable period of time, not to exceed six months after
14 receipt of such notice, and (B) submits written documentation of such

15 measures to the commissioner. If such condition is not remedied
16 within such six-month period, the commissioner shall assess a civil
17 penalty for such first violation unless the commissioner extends such
18 period of time in writing.

19 (2) The provisions of this section shall not apply to (A) any wilful or
20 grossly negligent violation, (B) any violation that results in harm to
21 human health or the environment, or (C) any penalty required under
22 any provision of federal law or regulation, including any penalty
23 required as a condition for receiving federal funding.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>October 1, 2018</i>	New section
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Statement of Purpose:

To permit certain businesses to remediate first-time regulatory violations without financial penalty if such remediation is done in a timely manner.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]